

Appln. No. 10/788,608

Request for Corrected Filing Receipt dated June 14, 2004



Attorney Docket No. MPG-10 DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : To be Assigned
Group Art Unit : 1614
Applicant : Christian Behl et al.
Application No. : 10/788,608 Confirmation No.: 9220
Filed : February 27, 2004
For : TRYPTOPHANYL-ESTERS AND THEIR N-ACYL
DERIVATIVES FOR PREVENTING AND TREATING
DISEASES CAUSED OR AGGRAVATED BY
OXIDATION PROCESSES

New York, New York 10020
June 14, 2004

Filing Receipt Corrections
Office of Initial Patent Examination
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

REQUEST FOR CORRECTED FILING RECEIPT

Applicants respectfully request a corrected Filing
Receipt for the above-identified application.

Enclosed is a copy of a Filing Receipt issued by the
United States Patent and Trademark Office on June 1, 2004.
The Filing Receipt incorrectly indicates that the amount of
"Filing Fee Received" is \$385.00. The Filing Fee received
should recite \$557.00, as indicated on the enclosed copy of

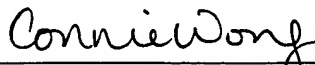
Transmittal Letter dated February 27, 2004 and the copy of the check.

The Filing Receipt also incorrectly identifies the inventors as "Christian Behl" rather than "Christian Behl and Bernd Moosmann," as indicated in the enclosed PrintEFS Form filed with the above-identified application.

Applicants request that the Filing Receipt be corrected as indicated in red ink on the enclosed copy and that a new Filing Receipt be issued.

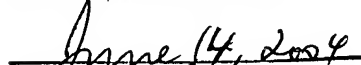
Applicants believe that such a Request for a corrected Filing Receipt requires no fee. However, if for any reason a fee is due, the Director is hereby authorized to charge any fees that may be due or credit overpayment of same in connection with this Request to Deposit Account No. 06-1075. A duplicate copy of this Request is enclosed herewith.

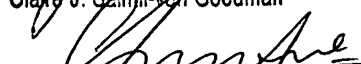
Respectfully submitted,



James F. Haley, Jr. (Reg. No. 27,794)
Attorney for Applicant
Connie Wong (Limited Recognition)
Agent for Applicant

I hereby certify that this
Correspondence is being
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P.O. Box 1450
Alexandria, VA 22313-1450 on


James F. Haley, Jr.
Clark J. Samit-van Goodman


Signature of Person Signing

c/o FISH & NEAVE
Customer No. 1473
1251 Avenue of the Americas
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UNITED STATES PATENT AND TRADEMARK OFFICE

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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/788,608	02/27/2004	1614	385 "557.76"	MPG-10 DIV	8	14	1

CONFIRMATION NO. 9220

1473
FISH & NEAVE
1251 AVENUE OF THE AMERICAS
50TH FLOOR
NEW YORK, NY 10020-1105

FILING RECEIPT



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FISH & NEAVE - PATENT DEPT.

REFERRED TO

CXW

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Christian Behl, Munchen, GERMANY;
Bernd Moosmann, Munchen, GERMANY

Domestic Priority data as claimed by applicant

This application is a DIV of 09/810,152 03/16/2001 ABN
which is a CON of PCT/EP99/06819 09/15/1999

Foreign Applications

GERMANY 198 42 416.7 09/16/1998

If Required, Foreign Filing License Granted: 06/01/2004

Projected Publication Date: 09/09/2004

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Tryptophanyl-esters and their N-acyl derivatives for preventing and treating diseases caused or

aggravated by oxidation processes

Preliminary Class

514

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



MPG-10 DIV

Applicants : Christian Behl and Bernd Moosmann

For : TRYPTOPHANYL-ESTERS AND THEIR N-ACYL
DERIVATIVES FOR PREVENTING AND TREATING
DISEASES CAUSED OR AGGRAVATED BY OXIDATION
PROCESSES

EXPRESS MAIL CERTIFICATION

"Express Mail" mailing label number EV270268491US
Date of Deposit February 27, 2004

I hereby certify that this transmittal letter and the other papers and fees identified in this transmittal letter as being transmitted herewith are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and are addressed to Mail Stop Patent Application to the Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Claire J. Saintil-van Goodman

Mail Stop Patent Application
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RULE 53(b)
CONTINUING PATENT APPLICATION

Sir:

This is a request for filing a divisional application of pending prior Application No. 09/810,152, (Confirmation No. 2299), filed March 16, 2001

Transmitted herewith for filing are the:
[X] Specification (13 pages); [X] Claims (23); [X] Abstract;
[X] Copy of executed Declaration and Power of Attorney from Application No. 09/810,152; [X] Preliminary Amendment; [X] Information Disclosure Statement; [X] Form PTO-1449;
[X] Application Data Sheet; and [X] Limited Recognition Under 37 C.F.R. § 10.9(b); and [X] Postcard; for filing in the above-identified patent application.

The enclosed declaration is:

- ☐ Unexecuted.
- ☒ Copy from a prior application (37 C.F.R. § 1.63(d)).
- ☐ A signed statement is attached deleting inventors named in the prior application (37 C.F.R. §§ 1.63(d)(2) and 1.33(b)).
- ☒ The entire disclosure of the prior application, from which a copy of the declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☒ The prior application, Application No. 09/810,152, filed March 16, 2001, is assigned of record to Max-Planck-Gesellschaft zur Förderung der Wissenschaften e.V., Reel/Frame 012092/0591.

Also transmitted herewith are:

- ☒ Eight (8) sheets of:
 - ☒ Formal drawings.
 - ☐ Informal drawings. Formal drawings will be filed during the pendency of this application.
- ☐ An assignment of the invention to _____.
- ☐ A check in the amount of \$40.00 to cover the recording fee.
- ☐ Please charge \$40.00 to Deposit Account No. 06-1075 in payment of the recording fee. A duplicate copy of this transmittal letter is transmitted herewith.
- ☐ An associate power of attorney.

The filing fee has been calculated as shown below*:

FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEEs
BASIC FEE				\$ 385.00
TOTAL CLAIMS	23 - 20 =	3 X	\$ 9 =	\$ 27.00
INDEPENDENT CLAIMS	2 - 3 =	0 X	\$ 43 =	\$ 0.00
[X] MULTIPLE DEPENDENT CLAIM		+	\$145 =	\$ 145.00
TOTAL				<u>\$ 557.00</u>

*Fee calculation based on claims pending after Preliminary Amendment.

[X] A check in the amount of \$ 557.00 in payment of the filing fee is transmitted herewith.

[X] The Director is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. § 1.16, in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

[] Please charge \$_____ to Deposit Account No. 06-1075 in payment of the filing fee. A duplicate copy of this transmittal letter is transmitted herewith.

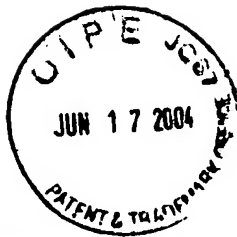
Respectfully submitted,



James F. Haley, Jr. (Reg. No. 27,794)
Attorney for Applicants
Connie Wong (Limited Recognition)
Agent for Applicants

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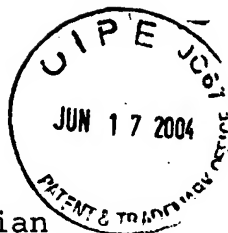
Director of U.S. Patent and Trademark Office

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INVENTOR INFORMATION



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Country of Residence:: Germany
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APPLICATION INFORMATION

Title Line One:: TRYPTOPHANYL-ESTERS AND THEIR N-ACYL DER
Title Line Two:: IVATIVES FOR PREVENTING AND TREATING DIS
Title Line Three:: EASES CAUSED OR AGGRAVATED BY OXIDATION
Title Line Four:: PROCESSES
Total Drawing Sheets:: 8
Formal Drawings?: Yes
Application Type:: Utility
Docket Number:: MPG-10 DIV
Secrecy Order in Parent Appl.?: No

REPRESENTATIVE INFORMATION

Representative Customer Number:: 1473
Registration Number One:: 27794
Registration Number Two:: 30709
Registration Number Three:: 38479

CONTINUITY INFORMATION

This application is a:: DIVISION OF
> Application One:: 09/810152
Filing Date:: 03-16-2001

Which is a::CONTINUATION OF
>> Application Two:: PCT/EP99/06819
Filing Date:: 09-15-1999

PRIOR FOREIGN APPLICATIONS

Foreign Application One:: 198 42 416.7
Filing Date:: 09-16-1998
Country:: Germany
Priority Claimed:: Yes

Source:: PrintEFS Version 1.0.1